



Local Government Solutions



**City of Chula Vista  
Proposed Assessment Increase  
Open Space District No. 23  
Otay Rio Business Park**

**Engineer's Report  
Fiscal Year 2007/08**

**June 5, 2007**

***Prepared by*  
N|B|S**

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**CITY OF CHULA VISTA  
OPEN SPACE DISTRICT NO. 23  
OTAY RIO BUSINESS PARK**

**276 Fourth Avenue  
Chula Vista, CA 91910  
Phone - (619) 476-5376**

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**CITY COUNCIL**

Cheryl Cox, Mayor  
Rudy Ramirez, Councilmember  
John McCann, Councilmember  
Jerry Rindone, Councilmember  
Steve Castaneda, Councilmember  
Susan Bigelow, City Clerk

**CITY STAFF**

Scott Tulloch, City Engineer  
Dave Byers, Director of Public Works Operations  
Leah Browder, Deputy Director of Engineering  
Robert Beamon, Administrative Services Manager  
Larry Eliason, Parks and Open Space Manager  
Chevis Fennell, Senior Open Space Inspector  
Josie Gabriel, Associate Planner  
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Tessa Quicho, Administrative Analyst II

**N|B|S**

Greg Ghironzi, Project Director  
Michael J. Stearns, Assessment Engineer  
Stephanie Parson, Senior Consultant  
Sue Tyau, Financial Analyst

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# 1. ENGINEER'S LETTER

**WHEREAS**, on June 5, 2007, the City Council of the City of Chula Vista (the "City Council"), State of California, under the Landscape and Lighting Act of 1972 (the "1972 Act"), the City of Chula Vista Municipal Code, Chapter 17.07 (the "Municipal Code"), Article XIID of the Constitution of the State of California ("Article XIID") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Municipal Code, Article XIID and the Implementation Act may be referred to collectively as the "Assessment Law") adopted its Resolution of Intention to increase assessments above the existing approved maximum amount in Open Space District No. 23, Otay Rio Business Park (the "District"); and provide for the Levy and Collection of said increased assessments commencing Fiscal Year 2007/08.

**WHEREAS**, the Resolution directed NBS to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the District for the referenced fiscal year, an assessment diagram for the District showing the area and properties to be assessed, and an assessment of the estimated costs of the maintenance, operations and servicing the improvements, and also stating the reason for the increased assessment; identifying the parcels upon which an increased assessment is proposed for imposition and presenting the basis upon which the increased assessment is to be calculated.

**NOW THEREFORE**, the following increased assessment is made to the District of the estimated costs of maintenance, operation and servicing of improvements to be paid by the assessable real property within the District in proportion to the special benefit received:

## SUMMARY OF ASSESSMENT

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<u>Description</u>	<u>Previous Fiscal Year 2007/08 Maximum Assessment</u>	<u>Proposed Fiscal Year 2007/08 Maximum Assessment</u>
<b>OSD No. 23 Costs</b>		
Annual Total Costs	\$49,696.87	\$68,445.60
<b>Balance to Assessment</b>	<b>\$49,696.87</b>	<b>\$68,445.60</b>

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I, the undersigned, respectfully submit the enclosed Engineer's Report and, to the best of my knowledge, information and belief, the increased assessments herein have been prepared and computed in accordance with the order of the City Council of the City of Chula Vista, California.

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NBS

## **2. PLANS AND SPECIFICATIONS**

### **2.1 Description of District Boundaries**

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Open Space District No. 23, Otay Rio Business Park, includes the area bounded by the Otay Rio Business Park. The District currently consists of eight parcels.

### **2.2 Description of Facilities and Services**

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The areas to be maintained by the District include open space lots and median landscaping within the Otay Rio Business Park, as well as the planted median on Main Street starting at Nirvana.

The assessments collected within the District will pay the costs of maintaining natural open space, green belt and slopes along major and collector roads, including the maintenance of all trees, shrubs, plants, etc., planted or placed within said open space area. The District is comprised of 2.61 acres of ornamental plants.

The proposed maintenance consists in general of the following:

- Fertilization
- Irrigation
- Replacement of dead or diseased trees and shrubs
- Removal of weeds, trash and litter
- Repair and replacement of equipment and facilities

### **2.3 Reason for the Increased Assessment**

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Currently, due to Proposition 218, passed in 1996, assessments cannot be increased to pay for the increased costs of labor, materials, supplies, electricity rates, etc., because the maximum assessment previously authorized for the District has been levied. Without the ability to increase assessments it may be necessary for the District to reduce the level of maintenance it can provide, thus jeopardizing the quality and appearance of facilities. The District is requesting the ability to increase the current maximum assessment within the District.

Approval of the proposed increased assessments will:

- Provide for the repair, removal or replacement of all or any part of any improvement. Provide for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing or treating for disease to injury, the removal of trimmings, rubbish, debris, and other solid waste.

If the increased assessments are not approved, the following reduction in services may include, but are not limited to:

- Annual fertilization will be decreased
- Reduction or elimination of irrigation and pruning of trees and shrubs
- Replacement of equipment and plants will not occur in a timely manner
- Sprinkler replacement will not occur in a timely manner
- Contractual services reduced, providing for an overall reduction in the amount of maintenance performed within the area.
- Increase in litter, trash and weeds

### 3. **ESTIMATE OF COSTS**

The estimated budget for annual maintenance of the facilities and proportionate share of the costs of administration of the District have been prepared based on cost information provided by the City of Chula Vista staff. The estimated budgetary unit costs for the maintenance of the improvements and the administration of the District are listed below.

The Fiscal Year 2007/08 maximum total assessment for Open Space District No. 23, Otay Rio Business Park, is summarized in the following table:

<b>Description</b>	<b>Previous Total Maximum Assessment</b>
Utility Charges	\$936.00
Trash Collection & Disposal Fees	560.00
Water Charges	7,669.00
Services to Maintain Structures, Grounds	490.00
City Staff Services	9,467.00
Contract Services	30,932.00
Landscape Supplies	660.00
Materials to Maintain Structures, Grounds	1,500.00
Professional Services	7,980.00
Supplementals	1,100.00
Transfer: Corporate Yard Debt Services	440.00
Operating Reserve Collection	(12,037.13)
<b>Total 2007/08 Previous Maximum Assessment:</b>	<b>\$49,696.87</b>

The proposed increase to the maximum total assessment beginning Fiscal Year 2007/08 is as follows:

<b>Description</b>	<b>Proposed Increase</b>
Utility Charges	\$0.00
Trash Collection & Disposal Fees	0.00
Water Charges	0.00
Services to Maintain Structures, Grounds	0.00
City Staff Services	0.00
Contract Services	0.00
Landscape Supplies	0.00
Materials to Maintain Structures, Grounds	0.00
Professional Services	0.00
Supplementals	0.00
Transfer: Corporate Yard Debt Services	0.00
Operating Reserve Collection	18,748.73
<b>Total 2007/08 Proposed Increase:</b>	<b>\$18,748.73</b>

The proposed total maximum assessment for Fiscal Year 2007/08 with the increased landscaping maintenance costs is summarized as follows:

Description	Proposed Total Maximum Assessment
Utility Charges	\$936.00
Trash Collection & Disposal Fees	560.00
Water Charges	7,669.00
Services to Maintain Structures, Grounds	490.00
City Staff Services	9,467.00
Contract Services	30,932.00
Landscape Supplies	660.00
Materials to Maintain Structures, Grounds	1,500.00
Professional Services	7,980.00
Supplementals	1,100.00
Transfer: Corporate Yard Debt Services	440.00
Operating Reserve Collection	7,078.71
<b>Total 2007/08 Proposed Maximum Assessment:</b>	<b>\$64,537.00</b>

All of the costs are based on current estimates. The assessments are based on these costs and the difference between the estimated cost and the actual cost will be accounted for in the subsequent year.



## 4. ASSESSMENTS

The proposed increased maximum assessment will be apportioned to each parcel, in the City of Chula Vista Open Space District No. 23, Otay Rio Business Park, as shown on the latest equalized roll at the County Assessor's office, as listed in Section 6 of this Report. The description of each lot or parcel is part of the records of the County Assessor of the County of San Diego and such records are, by reference, made part of this Report.

### 4.1 Method of Apportionment

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Pursuant to the Assessment Law, all parcels that have special benefit conferred upon them as a result of the maintenance and operation of improvements are identified and the proportionate special benefit derived by each identified parcel is determined in relationship to the entire cost of the maintenance and operation of the improvements.

The method of apportioning the special benefit, and thus the cost of the maintenance, is based on the estimated traffic generated by each parcel. A standard established within San Diego County is the average daily traffic (ADT) published by San Diego Association of Governments (SANDAG). An ADT factor has been assigned to each land use type and these factors are used to estimate the traffic generated by each parcel.

The District contains only industrial parcels which have the same SANDAG generation factor (200 trips per acre of land). Therefore, the total ADT for each parcel will be directly proportional to the gross area of the parcel. For purposes of distributing the assessment, each gross acre of land is equivalent to one Equivalent Dwelling Unit (EDU).

### 4.2 Maximum Assessment – Assessment Increase

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The proposed increased maximum assessment spread to each EDU, for Fiscal Year 2007/08, based on the method of apportionment within OSD No. 23, Otay Rio Business Park, is as follows:

The maximum annual assessment per EDU is outlined in the following table:

Description	Maximum Annual Assessment Per EDU
Previous Maximum Annual Assessment Per EDU for Fiscal Year 2007/08	\$551.82
Proposed Annual Assessment Increase Per EDU for Fiscal Year 2007/08	\$208.18
Proposed Maximum Annual Assessment Per EDU for Fiscal Year 2007/08	\$760.00

Beginning Fiscal Year 2008/09, the maximum assessment shall be the prior year's assessment increased or decreased by an inflation factor which is the lesser of (1) the January to January San Diego Metropolitan Area All Urban Consumer Price Index (CPI) or (2) the change in estimated California Fourth Quarter Per Capita Personal Income as contained in the Governor's budget published in January.

## **5. *ASSESSMENT DIAGRAM***

The following page shows a reduced copy of the Assessment Diagram. For a detailed description of the lines and dimensions of any lot or parcel, reference is hereby made to the County Assessor's maps, which shall govern for all details concerning the lines and dimension of such lots or parcels.

ASSESSMENT DIAGRAM  
OPEN SPACE DISTRICT NO. 23, OTAY RIO BUSINESS PARK  
CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF  
CHULA VISTA THIS DAY OF \_\_\_\_\_, 2007.

CITY CLERK  
CITY OF CHULA VISTA  
SAN DIEGO COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN DIAGRAM SHOWING THE  
EXTERIOR BOUNDARIES, BOUNDARIES OF ANY ZONES AND THE LINES  
AND DIMENSIONS OF EACH PARCEL OF THE OPEN SPACE DISTRICT,  
CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE  
OF CALIFORNIA WAS APPROVED BY THE CITY COUNCIL  
OF THE CITY OF CHULA VISTA AT A REGULAR MEETING  
THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007  
BY ITS RESOLUTION NO. \_\_\_\_\_.

CITY CLERK  
CITY OF CHULA VISTA  
SAN DIEGO COUNTY, CALIFORNIA

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007 AT THE  
HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M, IN BOOK \_\_\_\_\_ OF MAPS  
OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE \_\_\_\_\_,  
IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF  
THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

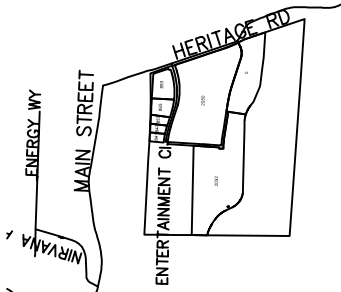
COUNTY RECORDER  
SAN DIEGO COUNTY, CALIFORNIA

NOTE: FOR PARTICULARS OF LINES AND DIMENSIONS OF ASSESSORS  
PARCELS, REFERENCE IS MADE TO THE MAPS OF THE ASSESSOR  
OF THE COUNTY OF SAN DIEGO.

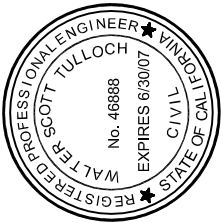
LEGEND:

9999 ADDRESS NUMBER

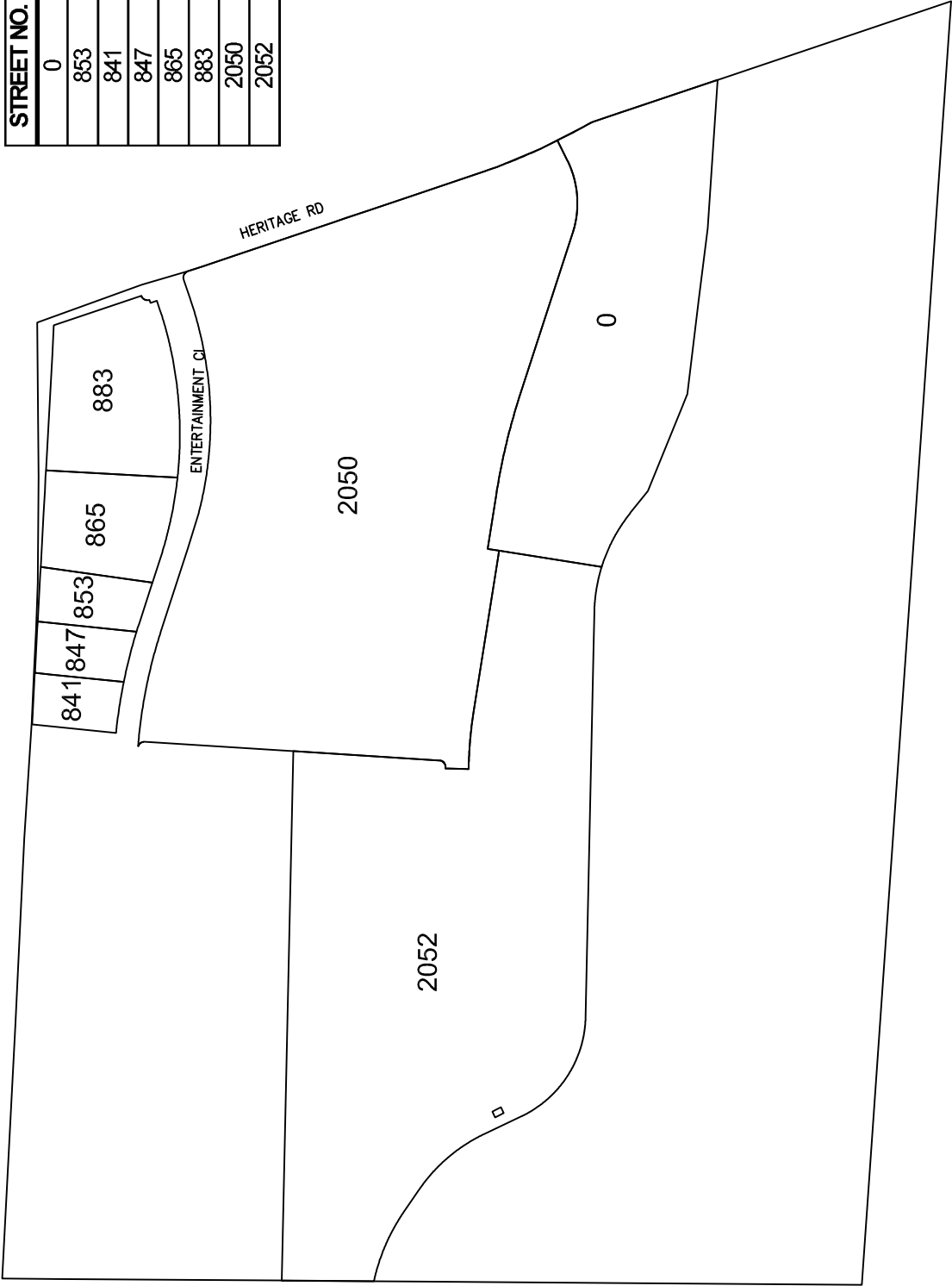
\_\_\_\_\_ PARCEL LINES



VICINITY MAP



STREET NO.	STREET NAME	APN
0		6450221100
853	ENTERTAINMENT CI	6450210100
841	ENTERTAINMENT CI	6450213500
847	ENTERTAINMENT CI	6450213400
865	ENTERTAINMENT CI	6450210200
883	ENTERTAINMENT CI	6450210300
2050	ENTERTAINMENT CI	6450214700
2052	ENTERTAINMENT CI	6450201700



H: \SURVEY\ASSESSMENT 04-18-07

	SCALE	Designed By:	Drawn By:	Checked By:	CITY OF CHULA VISTA GENERAL SERVICES	DRAWING NO. XXXX-01 CIP # XXX-XXXX
	HORIZONTAL		JLGOMEZ	APARTOSAN		
	1" = 300'	Exhibit Prepared Under Supervision Of:				
	VERTICAL	Date: _____ P.L.S. No. 7349				
		JOSE LUIS GOMEZ P.E., P.L.S.				
					Approved: _____ CITY ENGINEER	

## **6. ASSESSMENT ROLL**

The following page provides a listing of each parcel's previous Fiscal Year 2007/08 maximum assessment and proposed Fiscal Year 2007/08 maximum assessment amount, within Open Space District No. 23, Otay Rio Business Park that will be assessed for Fiscal Year 2007/08.

**City of Chula Vista  
Open Space District No. 23  
Otay Rio Business Park  
Fiscal Year 2007/08 Assessment Roll**

<b>Assessor's Parcel Number</b>	<b>EDU</b>	<b>Previous 2007/08 Maximum Assessment per EDU</b>	<b>Proposed 2007/08 Maximum Assessment per EDU</b>
645-020-17-00	33.32	\$18,386.64	\$25,323.20
645-021-01-00	1.24	684.25	942.40
645-021-02-00	2.80	1,545.09	2,128.00
645-021-03-00	4.56	2,516.29	3,465.60
645-021-34-00	1.07	590.44	813.20
645-021-35-00	0.99	546.30	752.40
645-021-47-00	32.65	18,016.92	24,814.00
645-022-11-00	13.43	7,410.94	10,206.80
<b>Total</b>	<b>90.06</b>	<b>\$49,696.87</b>	<b>\$68,445.60</b>